

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EXCAVATING, GRADING, ASPHALT, PRIVATE)	
SCAVENGERS, AUTOMOBILE SALESROOM)	
GARAGE ATTENDANTS AND LINEN AND)	
LAUNDRY DRIVERS, LOCAL NO. 731,)	
INTERNATIONAL BROTHERHOOD OF)	
TEAMSTERS,)	
)	Case No. 07 C 6318
)	Judge Holderman
Plaintiff,)	Magistrate Judge Cole
)	
v.)	
)	
LECHNER AND SONS,)	
)	
Defendant.)	

STIPULATION OF DISMISSAL

Plaintiff, having filed a Petition to Compel Arbitration, and Defendant having agreed to submit to arbitration (on issues of arbitrability and substance), and the parties having otherwise resolved all issues in this matter, hereby stipulate and agree that this matter may be dismissed without prejudice, each party to bear its own costs and fees. The Court will retain jurisdiction to enforce Defendant's agreement to arbitrate. The Dismissal shall be deemed with prejudice as of August 1, 2008 unless Plaintiff files a Motion to Reinstate to enforce due to any alleged refusal to arbitrate. Any Motion may be directed only to such refusal.

/s/ Robert E. Bloch
Robert E. Bloch
Attorney for Plaintiff

/s/ Robert H. Brown
Robert H. Brown
Attorney for Defendant
Lechner and Sons Inc.

Dated January 24, 2008
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Dated: January 24, 2008
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